



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2305176
Applicant Name: Brittani Ard for Chris Pickering
Address of Proposal: 2915 24th Avenue West

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two (2) parcels of land in an Environmentally Critical Area (ECA) – Geologic Hazard Area. Proposed parcel sizes are: A) 5,972 square feet and B) 5,916 square feet. The existing single family structure is to be removed under a separate permit.

The following approvals are required:

Short Subdivision - to subdivide one existing parcel into two parcels.
(Chapter 23.24, Seattle Municipal Code).

SEPA Threshold Determination (Chapter 25.05 SMC)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The subject site is located along 24th Avenue West in the Magnolia neighborhood of Seattle. The site is located mid-block between West Dravus Street and West Armour Street near the T-intersection with the West Barrett Street right-of-way. There is no alley at this location.

The existing parcel is “Parcel B” of a previous short subdivision that was recorded in 1995 (Short Plat # 9501211) and is approximately 11,887 square feet in size. The site is located in a Residential, Single-family zone with a minimum lot size of 5,000 square feet (SF 5000). The site is rectangular in shape with approximately 80 feet of street frontage along 24th Avenue West and a lot depth of approximately 148 feet. There is an existing rock wall located in the 24th Avenue West right-of-way that runs parallel to the front lot line. The site slopes up from the rock wall, at a slope of approximately 23% in the first 30 feet of the lot. In addition, there is an existing approximately 11-foot high retaining wall located along the site’s rear (west) property line. The site is modestly vegetated with mature trees located primarily along the site’s south edge.

The site is currently developed with one single-family residence. The structure is set approximately 60 feet back from the front lot line and straddles proposed Parcels A and B. Vehicular access to the residence is provided via an existing curbcut along 24th Avenue West, near the north end of the site.

Property surrounding the subject site to the north, south, east, and west is zoned Residential, Single-family 5,000 (SF 5000). Development in the area consists primarily of one- and two-story single-family residences. Bayview Playground is located approximately one block south of the subject site.

Proposal

The proposal is to subdivide one parcel of land into two (2) parcels. Proposed parcel areas are Parcel A) 5,972 square feet and Parcel B) 5,916 square feet. Both parcels would have direct access to 24th Avenue West. The existing single-family residence straddling both proposed parcels would be removed under a separate permit.

Public Comment

No comment letters were received during the public comment period, which ended on December 31, 2003.

ANALYSIS - SHORT SUBDIVISION

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities, Seattle City Light, and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. Conformance to the applicable Land Use Code provisions;

The subject property is zoned for single-family residential with a minimum lot size of 5,000 square feet (SF 5000). The allowed use in a single-family zone is one dwelling unit per lot. After the removal of the existing single-family residence that currently straddles the proposed property between Parcels A and B, both proposed parcels would conform to all applicable development

standards of the SF 5000 zoning district. The proposed parcels would provide adequate buildable area to meet applicable yards, lot coverage requirements, and other Land Use Code development standards.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

The proposed parcels would have vehicular access to 24th Avenue West, a fully improved right-of-way, consistent with the provisions of the Land Use Code. The Seattle Fire Department has approved the proposed plat layout.

All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light reviewed the proposal and will not require an easement to provide for electrical facilities and service to the proposed lots.

Therefore, this short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle, and availability of service is assured subject to standard conditions of utility extension. The Short Plat application was reviewed by Seattle Public Utilities, and Water Availability Certificate #2003-1357 was approved and issued on December 15, 2003.

The existing structure, proposed to be removed, is connected by means of a single sidesewer to an 8-inch public combined sewer (PS) located within the 24th Avenue West right-of-way. The PS is also an appropriate point for stormwater discharge.

Future new construction with discharge to the sanitary sewer would require a sidesewer permit. Stormwater detention, with controlled release to the PS in 24th Avenue West, would likely be required for construction in excess of 2,000 square feet of development coverage. Plan review requirements would be made at the time of building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project proposes more than 5,000 square feet of new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015(D) and 22.802.020, may be required.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing needs. Another important objective is to ensure that new development is compatible with neighborhood character. The proposed short subdivision would meet all applicable Land Use Code provisions and would have adequate drainage; water supply; sanitary sewage disposal; and access for vehicles, utilities, and fire protection. The public use and interest would be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal would meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

An existing 11-foot high retaining wall located along the rear (west) property line of both proposed Parcels A and B meets the definition of a steep slope Environmentally Critical Area (ECA). The applicant requested an ECA limited exemption (Project #2307341), but the limited exemption was not granted due to insufficient documentation. Therefore, both proposed Parcels A and B are subject to regulations pertaining to steep slope ECAs.

The applicant has identified the area of steep slope and a required 15-foot steep slope buffer on the short plat drawing. Access to both proposed parcels would be provided outside of the ECA and buffer areas.

New construction on the parcels would be subject to the provisions SMC Chapter 25.09, Regulations for Environmentally Critical Areas. Therefore, grading and construction of any future structures would be reviewed during the building permitting stage and would be examined for conformance with all applicable requirements of the Land Use Code and Policies pertaining to Environmentally Critical Areas Ordinance. The applicant has submitted an ECA covenant that references required ECA markers at the buffer's edge and limitations on future land disturbance.

This proposed short subdivision is in conformance with City of Seattle Policies and Regulations for development in Environmentally Critical Areas.

6. *Is designed to maximize the retention of existing trees;*

There are approximately nine (9) deciduous and coniferous trees located upon the development site. Most of these trees are located along the site's perimeter and could be preserved, depending upon the location any future construction, the extent of the root systems, and the overall health of the trees. Future construction would be subject to the provisions of SMC 23.44.008 which sets forth tree planting requirements on single family lots.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This Short subdivision is not a unit subdivision. Therefore, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

SEPA DETERMINATION

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated July 23, 2003. The information in the checklist, a Geotechnical Report prepared by Associated Earth Sciences, dated November 26, 2003, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject short subdivision is limited to:

1. Documenting whether the proposal is consistent with the City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and
2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in the City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

The undersigned planner has analyzed the environmental checklist submitted by the project applicant; reviewed the project plans and the additional information in the file; and considered any comments which may have been received regarding this proposed action. As indicated in the checklist, this action may result in impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project would provide sufficient mitigation, and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

CONDITIONS - SEPA

None.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision

shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.

2. Submit the final recording forms for approval and any necessary fees.
3. Add the conditions of approval to the face of the short plat, or on a separate page if needed. If the conditions are on a separate page, insert on the plat:

“For conditions of approval after recording, see Page ____ of ____.” (If necessary, renumber the pages).
4. On the face of the plat, clearly label the 15-foot wide ECA buffer area as a “no build” area.
5. Place all steep slope markers on the site as shown on Sheet 2 of the short plat survey drawing.
6. Place a note on the face of the plat stating: “No removal of vegetation shall be permitted within the steep slope and buffer, except as otherwise permitted by SMC Chapter 25.09.”
7. Place a note on the face of the plat stating: “Tree removal shall be subject to the standards of SMC 23.44.008 and SMC Chapter 25.11.”

Prior to Sale and/or Transfer of Ownership

The owner(s) and/or responsible party(s) shall:

8. Legally remove the existing single-family residence located across Parcels A and B.

After Recording and Prior to Issuance of future Building Permit

The owner(s) and/or responsible party(s) shall:

9. Attach a copy of the recorded short plat to all building permit plan sets.

Signature: _____ (signature on file) Date: April 8, 2004
Leslie C. Clark, AICP
Land Use Planner

LCC:bg

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